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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE THE APPLICATION OF

Steen M. Matzen

SERIAL NO.: 09/548,026

FILED: April 12, 2000

FOR: Method for Testing an Electromagnetic
Flowmeter and an Electromagnetic
Arrangement

) Examiner: Charlene Dickens

) Group Art Unit No. : 2855

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to " Director of Patents and Trademarks, Washington, D.C. 20231, on December 30, 2002.

Name of person signing Jennifer J. Ramirez

Signature [Signature]

RESPONSE TO OFFICE ACTION OF SEPTEMBER 30, 2002

Honorable Director of
Patents and Trademarks
Washington, D.C. 20231

Dear Sir:

A further office action of September 30, 2002 has been received, and this paper is being filed in response. No claim amendments are believed appropriate, as will become apparent from the arguments below.

The examiner has rejected claims 18 – 31 and 33 – 35 under 35 U.S.C. §103 as being obvious over previously-cited Gaertner U.S. Patent Number 4,784,000 in view of newly-cited Shauger U.S. Patent Number 4,167,871. Reconsideration is requested.

Gaertner was discussed at length previously, and in particular in the response mailed July 26, 2002 as part of the Request for Continued Examination. The examiner is referred to that previous explanation,

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which will not be repeated here in order to not unduly lengthen the record in this application. It is sufficient to repeat that the examiner's interpretation of Gaertner has been proven to be incorrect.

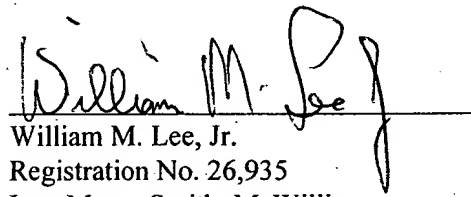
The new reference, U.S. 4,167,871 to Shauger et al., is a non-relevant reference. It does not deal with testing, i.e. it solves another problem. It does not deal with determining a current or a current rise, nor does it teach a comparison between a current rise parameter before and after a current reversal. In fact, the information in the rise period of the current, which is important in the present invention, is fully skipped and not used as can be seen in the curves of Figures 2C and 2D and column 6, lines 64 – 66.

The examiner apparently has cited Shauger because of the comparator 40 in Figure 1. However, a comparator is not part of claim 18, so the applicability of Shauger is certainly unclear. Furthermore, the examiner, in the comments in the office action, does not respond to the applicant's July 26, 2002 arguments at all. It is submitted that Gaertner has been clearly distinguished, and Shauger is an inappropriate reference, and the claims remain allowable over the prior art, even given the new grounds for rejection.

Reconsideration is therefore requested, and in lieu of more pertinent prior art, allowance of the application is urged.

December 30, 2002

Respectfully submitted,



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